UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/894,317	06/28/2001	Stephen R. LaPierre	36968-255226	7981

36192	7590	05/20/2004

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ART UNIT	PAPER NUMBER
2645	14

DATE MAILED: 05/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

> A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
> THE MAILING DATE OF THIS COMMUNICATION.
> - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
>   after SIX (6) MONTHS from the mailing date of this communication.
> - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
> - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
> - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
>   Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
>   earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _27 April 2004_.

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-3,5,7-17,19-22,24,26-41,43 and 45-59_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-3,5,7-17,19-22,24,26-41,43 and 45-59_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

1.   This action is in response to applicant's amendment filed on April 27, 2004. **Claims 1-**

3,5,7-17,19-22,24,26-41,43,45-59 are now pending in the present application.

Continued Examination Under 37 CFR 1.114

2.   A request for continued examination under 37 CFR 1.114, including the fee set forth in

37 CFR 1.17(e), was filed in this application after final rejection. Since this application is

eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e)

has been timely paid, the finality of the previous Office action has been withdrawn pursuant to

37 CFR 1.114. Applicant's submission filed on April 27, 2004 has been entered.

Claim Objections

3.   Claim 20 is objected to because of the following informalities: in line 15, "perform it

said" should be changed to --perform said--. Appropriate correction is required.

Claim Rejections - 35 USC § 112

4.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the
> subject matter which the applicant regards as his invention.

5.   Claims 17,19,20-22,24 and 26-38 are rejected under 35 U.S.C. 112, second paragraph, as

being indefinite for failing to particularly point out and distinctly claim the subject matter which

applicant regards as the invention.

6.   Claim 17 recites the limitation "said voicemail" in line 10. There is insufficient

antecedent basis for this limitation in the claim.

7.   Claim 19 recites the limitation "said first voicemail" in line 2. There is insufficient

antecedent basis for this limitation in the claim.

8.   Regarding claim 20, it is not clear how a message identifier for a first **voicemail** message

is delivered to a **video** mail message system since the rest of the limitations refer to the

voicemail message being access and stored in a voice mail box. The Examiner is interpreting

the limitation "video mail" to read on voice mail since claim 20, does not pertain to video mail.

9.   Claim 20 recites the limitation "said voicemail message" in line 11. There is insufficient

antecedent basis for this limitation in the claim.

10.   Claims 21,22,24 and 26-38 are rejected because they depend on a rejected claim.

Claim Rejections - 35 USC § 102

11.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

12.   Claims 1,2,5,6-17,20,21,24,26-38 are rejected under 35 U.S.C. 102(e) as being

anticipated by Speicher US Patent 6,502,077.

Regarding claim 1, Speicher teaches a method of providing a status certification (figs. 13

and 14; Speicher provides the status of the first voice mail messages by indicating the number of

replies associated with each voice mail message) for a first voicemail message (audiotext

personal ad; col. 1, lines 28-36) in a telecommunications network (abstract; fig. 1; col. 12, lines

6-8; col. 15, lines 5-13) comprising:

assigning a message identifier (mailbox number for a specific audio recording) for said

first voicemail message associated with a subscriber of a voicemail message system (voice

personal ad system; the user who initially records the massage the subscriber), (col. 6, lines 17-

32; each audio message receives a unique mailbox number);

creating a disposition identifier (e.g. AD_RESPONSE, RSP_MAILBOX_NUMBER) in

response to a disposition event, (col. 11, line 39-67);

associating said disposition identifier with said first voicemail message, (col. 11, line 56-

67);

compiling said disposition identifier (AD_RESPONSE, RSP_MAILBOX_NUMBER)

and said first voicemail message identifier (mailbox number) to create a status notification in

response to a triggering event (message response to the first voice message), (col. 11, line 39-col.

12, lines 5; col. 15, lines 5-13);

storing said status notification in a temporary voicemail box accessible to a non-

subscriber of said voicemail message system, (col. 11, line 39-col. 12, line 5); and

providing an access identifier (password) for accessing said temporary voicemail box,

(col. 6, lines 17-32; col. 14, lines 47-64),

wherein an asynchronous dialog is performed among users having said access identifier

via said temporary voicemail box, (col. 1, lines 20-39; col. 5, lines 24-37; col. 10, line 61-col. 11,

line 7; the subscriber sends a first audio message and the responders send first and second replies

based on the first message; fig. 14 shows multiple replies),

wherein said asynchronous dialog comprises;

accessing said temporary voicemail box with said access identifier, (col. 6, lines 17-32;

col. 14, lines 47-64);

receiving a second voicemail message, (col. 11, lines 39-55; fig. 14);

associating said second voicemail message with said first voicemail message, (col. 11, line 39-col. 12, line 5); and

storing said second voicemail message, (col. 11, line 39-col. 12, line 6).

Regarding claim 2, Speicher, as applied to claim 1, teaches receiving a first reply, (col. 11, line 39-40);

associating said first reply with said first voicemail message, (col. 11, lines 39-42); and

storing said first reply in said temporary voicemail box, (col. 11, line 39-col. 12, line 5).

Regarding claim 5, Speicher, as applied to claim 2, teaches wherein said asynchronous dialog comprises:

accessing said temporary voicemail box with said access identifier, (col. 6, lines 17-32; col. 14, lines 47-64);

receiving a second reply to at least one of said first reply and said first voicemail message, (fig. 14; col. 11, lines 39-55);

associating said second reply with said first voicemail message, (col. 11, lines 39-col.12, line 5); and

storing said second reply, (col. 11, line 39-col. 12, line 5).

Regarding claim 7, Speicher, as applied to claim 1, teaches wherein said disposition event comprises at least one of: a managing event, (col. 15, lines 15-45); and a dispatching event, (col. 11, lines 39-55).

Regarding claim 8, Speicher, as applied to claim 7, teaches wherein said managing event comprises at least one of: accessing said first voicemail message and presenting an indication of said first voicemail message, (col. 14, line 59-col. 15, line 45).

Regarding claim 9, Speicher, as applied to claim 7, teaches wherein said managing event comprises denying said status certification of said first voicemail message, (col. 15, lines 34-37).

Regarding claim 10, Speicher, as applied to claim 7, teaches wherein said dispatching event comprises replying to said first voicemail message, (col. 11, lines 39-55).

Regarding claim 11, Speicher as applied to claim 1, teaches wherein said first voicemail message identifier comprises a type identifier, (col. 6, lines 17-32)

Regarding claim 12, Speicher, as applied to claim 1, teaches wherein said first voicemail message identifier comprises at least one of: a role identifier; a party identifier; a date identifier; and a time identifier, (fig. 2; col. 6, lines 17-32).

Regarding claim 13, Speicher, as applied to claim 12, teaches wherein said role identifier comprises at least one of: an originator; a sender; a caller and a recipient, (fig. 2; col. 6, lines 17-32).

Regarding claim 14, Speicher, as applied to claim 12, teaches wherein said party identifier comprises an access address, (fig. 2; col. 6, lines 17-32).

Regarding claim 15, Speicher, as applied to claim 1, teaches storing in a random access memory an attribute for said status certification for said first voicemail message, wherein said attribute comprises at least one of: said first voicemail message identifier; said disposition identifier; said reply; and said status notification, (col. 11, line 40-col. 12, line 5).

Regarding claim 16, Speicher, as applied to claim 14, teaches an administrative functionality, wherein said administrative functionality comprises at least one of: monitoring said attribute and informing a recipient of said attribute, (col. 11, line 40-col. 12, line 5).

Regarding claim 17, Speicher teaches a method of providing a status certification for a

first video mail message in a video-enabled (col. 6, line 27-32) communications network (col. 1,

lines 28-36; col. 12, lines 6-8; col. 15, lines 5-13) comprising:

assigning a message identifier for said first video mail message delivered to a subscriber

to a video mail message system, (col. 6, lines 17-32; each audio message receives a unique

mailbox number);

creating a disposition identifier (e.g. AD_RESPONSE_COUNT) in response to a

disposition event, (col. 11, line 39-col. 12, line 5);

associating said disposition identifier with said first video mail message, (col. 11, line 56-

67);

compiling said disposition identifier (AD_RESPONSE) and said first video mail message

identifier to create a status notification in response to a triggering event, (message response),

(col. 11, line 39-col. 12, line 5; col. 15, lines 5-13);

storing said status notification in a temporary video mail box accessible to a non-

subscriber of said video mail message system, (col. 11, line 39-col. 12, line 5); and

providing an access identifier (password) for accessing said temporary video mail box,

(col. 6, lines 17-32; col. 14, lines 47-64),

wherein an asynchronous dialog is performed among users having said access identifier

via said temporary video mail box, (col. 1, lines 20-39; col. 5, lines 24-37; col. 10, line 61-col.

11, line 7),

wherein the method further comprises:

receiving a reply, (col. 11, lines 39-67);

associating said reply with said first video mail message, (col. 11, lines 39-67); and

storing said reply in said temporary video mail box, (col. 11, lines 39-col. 12, line 5).

Regarding claim 20, Speicher teaches a system for providing a status certification for a first voicemail message (audiotext personal ad) in a telecommunications network (col. 1, lines 28-36; col. 12, lines 6-8; col. 15, lines 5-13; the subscribers receive status information concerning the number of replies to their first voice message) comprising a processor operative to:

assign a message identifier for said first voicemail message delivered to a subscriber of a voice mail message system, (col. 6, lines 17-32; each audio message receives a unique mailbox number);

create a disposition identifier (AD_RESPONSE_COUNT) in response to a disposition event, (col. 11, line 39-col. 12, line 5);

associate said disposition identifier with said first voicemail message, (col. 11, line 56-67));

compile said disposition identifier (AD_RESPONSE_COUNT) and said first voicemail message identifier to create a status notification in response to a triggering event (message response), (col. 11, line 39-col. 12, line 5; col. 1, lines 5-13);

store said status notification in a temporary voicemail box accessible to a non-subscriber of said voicemail message system, (col. 11, line 39-col. 12, line 5)); and

provide an access identifier (password) for accessing said temporary voicemail box, (col. 6, lines 17-32; col. 14, lines 47-64),

wherein an asynchronous dialog is performed among users having said access identifier

via said temporary voicemail box, (col. 1, lines 20-39; col. 5, lines 24-37; col. 10, line 61-col. 11,

line 7; the subscriber sends a first audio message , and the responders sends first and second.

replies back to the subscriber based on the first message),

wherein said process to perform it said asynchronous dialog comprises;

accesses said temporary voicemail box with said access identifier, (col. 6, lines 17-32;

col. 14, lines 47-64);

receives a second voicemail message, (col. 11, lines 39-55; fig. 14);

associates said second voicemail message with said first message, (col. 11, line 39-col.

12, line 5); and

stores said second voicemail message, (col. 11, line 39-col. 12, line 6).

Regarding claim 21, Speicher, as applied to claim 20, teaches said processor further

operative to:

receive a first reply, (col. 11, lines 39-57);

associate said first reply with said first voicemail message, (col. 11, line 39-col. 12, line

5); and

store said first reply in said temporary voicemail box, (col. 11, line 39-col. 12, line 5).

Regarding claim 24, Speicher, as applied to claim 21, teaches wherein said processor, to

perform said asynchronous dialog:

accesses said temporary voicemail box with said access identifier, (col. 6, lines 17-32);

receives a second reply to at least one of said first reply and said first voicemail message,

(col. 11, lines 39-55; fig. 14);

associates said second reply with said first voicemail message, (col. 11, lines 39-col. 12, line 5); and

storing said second reply, (col. 11, line 39-col. 12, line 5).

Regarding claim 26, Speicher, as applied to claim 20, teaches wherein said disposition event comprises at least one of: a managing event, (col. 15, lines 15-45); and a dispatching event, (col. 11, lines 39-55).

Regarding claim 27, Speicher, as applied to claim 26, teaches wherein said managing event comprises at least one of: accessing said first voicemail message and presenting an indication of said first voicemail message, (col. 14, line 59-col. 15, line 45).

Regarding claim 28, Speicher, as applied to claim 26, teaches wherein said managing event comprises denying said status certification of said first voicemail message, (col. 15, lines 34-37).

Regarding claim 29, Speicher, as applied to claim 26, teaches wherein said dispatching event comprises replying to said first voicemail message, (col. 11, lines 39-55).

Regarding claim 30, Speicher as applied to claim 20, teaches wherein said first voicemail message identifier a type identifier, (col. 6, lines 17-21).

Regarding claim 31, Speicher, as applied to claim 20, teaches wherein said first voicemail message identifier comprises at least one of: a role identifier; a party identifier; a date identifier; and a time identifier, (fig. 2; col. 6, lines 17-32).

Regarding claim 32, Speicher, as applied to claim 31, teaches wherein said role identifier comprises at least one of: an originator; a sender; a caller and a recipient, (fig. 2; col. 6, lines 17-32).

Regarding claim 33, Speicher, as applied to claim 31, teaches wherein said party identifier comprises an access address, (fig. 2; col. 6, lines 17-32).

Regarding claim 34, Speicher, as applied to claim 20, teaches storing in a random access memory an attribute for said status certification for said first voicemail message, wherein said attribute comprises at least one of: said first voicemail message identifier; said disposition identifier; said reply; and said status notification, (col. 11, line 40-col. 12, line 5).

Regarding claim 35, Speicher, as applied to claim 34, teaches an administrative functionality, wherein said administrative functionality comprises at least one of: monitoring said attribute and informing a recipient of said attribute, (col. 11, line 40-col. 12, line 5).

Regarding claim 36, Speicher, as applied to claim 35, teaches a data repository operative to store said attributes, (fig. 1; col. 5, lines 55-col. 6, line 32).

Regarding claim 37, Speicher, as applied to claim 36, teaches wherein said data repository comprises a database, (fig. 1; col. 5, lines 55-col. 6, line 32).

Regarding claim 38, Speicher, as applied to claim 36, teaches wherein said data repository comprises: a first database for storing said first voicemail message; and

a second database for storing said attribute, (fig. 1; col. 5, lines 55-col. 6, line 32).

Claim Rejections - 35 USC § 103

13.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

14.   The factual inquiries set forth in *Graham* v. *John Deere Co.*, 383 U.S. 1, 148 USPQ 459

(1966), that are applied for establishing a background for determining obviousness under 35

U.S.C. 103(a) are summarized as follows:

      1.   Determining the scope and contents of the prior art.
      2.   Ascertaining the differences between the prior art and the claims at issue.
      3.   Resolving the level of ordinary skill in the pertinent art.
      4.   Considering objective evidence present in the application indicating obviousness
            or nonobviousness.

This application currently names joint inventors. In considering patentability of the

claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various

claims was commonly owned at the time any inventions covered therein were made absent any

evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out

the inventor and invention dates of each claim that was not commonly owned at the time a later

invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c)

and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

15.   Claims 39,40,41,43,45-50,52 and 54-59 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Speicher in view of Bartholomew et al. US Patent 6,285,745.

Regarding claim 39, Speicher teaches a system for providing a status certification for a

first voicemail message (audiotext personal ad) in a network (col. 1, lines 28-36; col. 12, lines 6-

8; col. 15, lines 5-13; the subscribers receives status information concerning the number of

replies to the first voice email message) comprising a peripheral operative to:

assign a message identifier for said first voicemail message delivered to a subscriber of a

voice mail message system, (col. 6, lines 17-32; each audio message receives a unique mailbox

number);

create a disposition identifier (AD_RESPONSE) in response to a disposition event, (col. 11, line 39-col. 12, line 5);

associate said disposition identifier with said first voicemail message, (col. 11, lines 56-67);

compile said disposition identifier and said first voicemail message identifier to create a status notification in response to a triggering event, (message response), (col. 11, line 39-col. 12, line 5; col. 15, lines 5-13);

store said status notification in a temporary voicemail box accessible to a non-subscriber of said voicemail message system, (col. 11, line 39-col. 12, line 5); and

provide an access identifier (password) for accessing said temporary voicemail box, (col. 14, lines 47-64),

wherein an asynchronous dialog is performed among users of aid AIN having said access identifier via said temporary voicemail box, (col. 1, lines 20-39; col. 5, lines 24-37; col. 10, lines 61-col. 11, line 7),

wherein said peripheral, to perform said asynchronous dialog:

accesses said temporary voicemail box with said access identifier, (col. 6, lines 17-32; col. 14, lines 47-64);

receives a second voicemail message, (col. 11, lines 39-55; fig. 14;

associates said second voicemail message with said first message; and

stores said second voicemail message, (col. 11, line 39-col.1 2, line 5).

Speicher does not specifically teach of providing the status notification in an advanced intelligent network and using an intelligent peripheral to perform the above steps.

In the same field of endeavor, Bartholomew teaches that it was well known in the art to provide a status certification for a voice mail message in an advanced telecommunication network, (fig. 4; col. 18, lines 28-40). Bartholomew teaches of providing the status of incoming and outgoing voice mail messages.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the network system of Speicher to include an advanced intelligent network as taught by Bartholomew so that the network can effectively determine which calls require special treatment and can query databases using standard AIN signaling protocols for contacting databases and other switches.

Regarding claim 40, Speicher in view of Bartholomew, as applied to claim 39, teaches wherein said intelligent peripheral is further operative to:

receive a first reply, (col. 11, lines 39-57);

associating said first reply with said first voicemail message, (col. 11, lines 39-col. 12, line 5); and

storing said first reply in said temporary voicemail box, (col. 11, line 39-col. 12, line 5).

Regarding claim 41, Speicher, as applied to claim 39, does not specifically teach of billing the party for providing the status.

Bartholomew teaches billing a party to said first voicemail message for said providing of said status certification, (col. 7, lines 13-40; col. 9, lines 18-30).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the network system of Speicher to bill a party for providing the

status certification as taught by Bartholomew so that the service provider can be paid for

providing the personal ad service to its users.

Regarding claim 43, Speicher, as applied to claim 40, teaches wherein said intelligent

peripheral, to perform said asynchronous dialog:

accesses said temporary voicemail box with said access identifier, (col. 6, lines 17-32);

receives a second reply to at least one of said first reply and said first voicemail message,

(col. 11, lines 39-55; fig. 14);

associates said second reply with said first voicemail message, (col. 11, line 39-col. 12,

line 5; and

stores said second reply, (col. 11, lines 39-col. 12, line 5).

Regarding claim 45, Speicher, as applied to claim 39, teaches wherein said triggering

event comprises a disposition event, (col. 15, lines 15-45).

Regarding claim 46, Speicher, as applied to claim 45, teaches wherein said disposition

event comprises at least one of: a managing event; and a dispatching event, (col. 15, lines 15-45).

Regarding claim 47, Speicher, as applied to claim 46, teaches wherein said managing

event comprises at least one of: accessing said first voicemail message and presenting an

indication of said first voicemail message, (col. 14, line 59-col. 15, line 45).

Regarding claim 48, Speicher, as applied to claim 46, teaches wherein said managing

event comprises denying said status certification of said first voicemail message, (col. 15, lines

34-37).

Regarding claim 49, Speicher, as applied to claim 46, teaches wherein said dispatching

event comprises replying to said first voicemail message, (col. 11, lines 39-55).

Regarding claim 50, Speicher in view of Bartholomew, as applied to claim 39, teaches a service switching point functionally connected to said intelligent peripheral, (fig. 4; Bartholomew); and

an interface functionally connected to a service switching point and operative to accept communications from a second communications network, (fig. 4; Bartholomew). As stated above it would have been obvious to uses an AIN network so that the network can effectively determine which calls require special treatment and can query databases using standard AIN signaling protocols for contacting databases and other switches.

Regarding claim 52, Speicher, as applied to claim 50, teaches a computer network functionally connected to said interface and operative to facilitate access to said status notification by a computer network client device, (fig. 1; col. 6, lines 9-42).

Regarding claim 54, Speicher, as applied to claim 39, teaches wherein said first voicemail message identifier a type identifier, (col. 6, lines 17-21).

Regarding claim 55, Speicher, as applied to claim 39, teaches wherein said first voicemail message identifier comprises at least one of: a role identifier; a party identifier; a date identifier; and a time identifier, (fig. 2; col. 6, lines 17-32).

Regarding claim 56, Speicher, as applied to claim 55, teaches wherein said role identifier comprises at least one of: an originator; a sender; a caller and a recipient, (fig. 2; col. 6, lines 17-32).

Regarding claim 57, Speicher, as applied to claim 55, teaches wherein said party identifier comprises an access address, (fig. 2; col. 6, lines 17-32).

Regarding claim 58, Speicher, as applied to claim 39, teaches said intelligent peripheral further operative for storing in a random access memory an attribute for said status certification for said first voicemail message, wherein said attribute comprises at least one of: said first voicemail message identifier; said disposition identifier; said reply; and said status notification, (col. 11, line 40-col. 12, line 5).

Regarding claim 59, Speicher in view of Bartholomew, as applied to claim 58, teaches a service management system functionally connected to said intelligent peripheral, operative to perform administrative functionality comprising at least one of: monitoring said attribute informing a recipient of said attribute, (col. 11, line 40-col. 2, line 5).

16.   Claims 3,19 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Speicher in view of Creswell et al. US patent 5,544,229.

Regarding claims 3,19 and 22, Speicher, as applied to claims 1,17 and 20, does not specifically teach of billing a party to said first voice/video mail message for said providing of said status certification.

Creswell teaches a method for providing status certification for a message system, (col. 12, lines 38-59; col. 13, lines 14-34). Creswell further teaches of billing a party to said first message system for providing a status certification, (col. 2, lines 10-21)

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Speicher by including billing as taught by Speicher so that the service provider can be paid for providing the personal ad service to its users.

17.   Claims 51 and 53 are rejected under 35 U.S.C. 103(a) as being unpatentable over Speicher in view of Bartholomew and further in view of LaPorta et al. US Patent 6,014,429.

Regarding claims 51 and 53, while Speicher in view of Bartholomew, as applied to claim 50, teaches of using wireless device and personal communication devices, Speicher, does not specifically teach of a MTSO function connected to an interface and a personal digital assistance communicating to the network.

In the same field of endeavor, LaPorta teaches of a system for allowing a user to send a message to plural recipient and to allow the plural recipients to reply back to the sender. LaPorta further teaches that it was well known in the art to have a mobile telephone switching office (MTSO) functionally connected to said interface and operative to facilitate access to said status notification by a cellular device, (col. 17, lines 33-56). LaPorta further teaches a personal digital assistant communications network functionally connected to an interface and operative to facilitate access to a status notification by a personal digital assistant, (col. 7, lines 1-6).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Speicher and Bartholomew by using a MTSO or a PDA as suggested by LaPorta so that the wireless device of Hanson can communicate with the messaging network.

Response to Arguments

18.   Applicant's arguments with respect to claims 1-3,5-2,24-41,43-59 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

19.   Any response to this action should be mailed to:

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

or faxed to:

(703) 872-9306, (for formal communications intended for entry)

Or:

(703) 872-9306, (for informal or draft communications, please label

"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal

Drive, Arlington, VA, Sixth Floor (Receptionist).

20.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Ovidio Escalante whose telephone number is 703-308-6262. The

examiner can normally be reached on M-F (6:30AM - 5:00PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Fan S Tsang can be reached on 703-305-4895. The fax phone number for the

organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ovidio Escalante
Examiner
Group 2645
May 11, 2004

OVIDIO ESCALANTE
PATENT EXAMINER